



Concealed Weapons Permit

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In the wrong hands, concealed weapons pose a serious threat to law enforcement and the general public. At the same time, many North Dakotans feel a need to carry a concealed weapon for a variety of reasons, including personal protection, protection of others, and work-related needs. This fact sheet was prepared to help explain the procedure to obtain a concealed weapon permit and the permit holder's responsibilities under the law.

The Application Process

The Bureau of Criminal Investigation (BCI) is responsible for receiving and processing applications for concealed weapon permits and issuing permits to North Dakota citizens. Applicants must be 18 years old to apply for a permit. Application forms can be obtained from the local police department, sheriff's office, or by contacting the BCI.

1. The applicant must first successfully complete a written test. The local law enforcement agency can provide a list of certified test administrators.
2. All applications must be signed by the county Sheriff. If the applicant lives in a city with a police department, the application also must be signed by the Police Chief.
3. The completed application, two color photos (size 1" x 1¼") and a check for \$25 made payable to "ND Office of Attorney General" should be submitted to the law enforcement agency. The agency will obtain fingerprints (for which there may be a separate fee), conduct a local background check, and determine if the applicant qualifies for a permit. The approved application is forwarded to BCI.
4. BCI performs state and national background checks and processes the fingerprints through the regional Automated Fingerprint Identification System (AFIS).
5. If the application process is successfully completed, BCI will issue a permit.

Concealed Weapons and the Law

All weapons are potentially dangerous, but a hidden gun, knife, or martial arts device can be especially hazardous. In receiving a permit to carry a concealed weapon for lawful self-defense, you are undertaking a great responsibility.

If you find it necessary to use your weapon, you will be protected only if you acted within the law. Therefore, you should also arm yourself with the most indispensable weapon of all — knowledge.

"Weapon"

Under state and federal law, "weapons" fall into one of two categories: firearms and dangerous weapons.

- "Dangerous weapons" include any knife with a blade of five inches or more, martial arts weapons, slingshots, bow and arrows, billy clubs, metal knuckles, stun guns, air rifles, BB guns, and other such items (N.D.C.C. §62.1-01-01(1)).
- A firearm or dangerous weapon is considered "concealed" if it is carried in such a way that it cannot be recognized by the "ordinary observation" of a passerby —this includes wearing it under clothing (N.D.C.C. §62.1-04-01).

Reciprocity	North Dakota has “reciprocity” with some other states, which means that a North Dakota concealed weapon permit is valid while in those states, and those state permits are recognized as valid in North Dakota. BCI maintains a list of states with which North Dakota has reciprocity. The list is posted on the agency website at www.ag.state.nd.us on the BCI page, and is subject to change.
Prohibitions - Weapons	State law prohibits firearms and dangerous weapons (concealed or otherwise) in liquor establishments, gaming sites and at any public gathering, including: sporting events, schools or school functions, churches or church functions, political rallies or functions, musical concerts, publicly owned or operated buildings, and publicly owned parks where hunting is not allowed (N.D.C.C. §§62.1-02-04 and 62.1-02-05).
Prohibitions - Persons	<p>Concealed weapon permits cannot be issued to anyone prohibited by state or federal law from owning, possessing, or having a firearm under that person's control (N.D.C.C. §62.1-04-03).</p> <p>Persons convicted of certain felony or class A misdemeanor crimes are barred from owning or possessing a firearm for up to 10 years after completing probation or the sentence, whichever is last (N.D.C.C. §62.1-02-01).</p>
Firearms Purchase	<p>A National Instant Check System (NICS) background check is completed on a ND resident during the application process. The NICS number is printed on the permit. The requirement for a NICS check for a firearm purchase may be waived at the discretion of the weapon dealer.</p> <p>Nonresidents can obtain a North Dakota Concealed Weapon Permit. However, as the NICS number is not printed on the permit, it cannot be used to purchase firearms.</p>
The Permit	The permit must be carried at all times and produced when requested by law enforcement. Failure to produce the permit will be considered evidence that the concealed weapon is carried illegally (N.D.C.C. §62.1-04-04).
Expiration	The permit must be renewed after three years. A reminder notice will be sent to the permit holder's last known address.
Retired Law Enforcement Officer Concealed Carry	<p>Under new federal law, a “qualified retired law enforcement officer” may carry a concealed firearm without a state-issued concealed weapons permit only if that individual meets all of the requirements. Additional information can be viewed online at:</p> <ul style="list-style-type: none"> • http://www.ag.state.nd.us/BCI/CW/RetiredLawEnforcement.pdf
Additional Information	<p>For convenience, additional information, including the Concealed Weapons Manual and links to the relevant laws can be viewed and/or downloaded at:</p> <ul style="list-style-type: none"> • http://www.ag.state.nd.us/BCI/CW/2005Manual.pdf <p>The list of certified instructors can be downloaded at:</p> <ul style="list-style-type: none"> • http://www.ag.state.nd.us/BCI/CW/listofinstructors.pdf